PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY			BECIPIA 2 SEP 2005
To:			PCI
CAROL TITUS 3900 NEWPARK MALL RD.			WIPO PCT
THIRD FLOOR, SUITE 317 NEWARK, CA 94560		WRI	TTEN OPINION OF THE DNAL SEARCHING AUTHORITY
NEWARK, CA 34500		INTERNATIC)NAL SEARCHING AUTHORITI
		•	(PCT Rule 43bis.1)
	(a	ate of mailing lay/month/year)	08 SEP 2009
Applicant's or agent's file reference	F	OR FURTHER	ACTION See paragraph 2 below
BEL1125PCT	<u></u>		Priority date (day/month/year)
International application No. International	filing date (day	y/month/year)	
PCT/US05/02600 24 January 2	005 (24.01.200)5)	22 January 2004 (22.01.2004)
International Patent Classification (IPC) or both national	al classification	and IPC	
IPC(7): A61F 7/00 and US C1.: 607/105, 113			
Applicant			·
BELSON, AMIR			
1. This opinion contains indications relating to the fo	llowing items:		
Box No. I Basis of the opinion			
Box No. II Priority			to the state of condicability
Box No. III Non-establishment of opi	nion with regar	rd to novelty, inv	entive step and industrial applicability
Box No. IV Lack of unity of invention	n		and the standard or industrial
Box No. V Reasoned statement unde applicability; citations an	r Rule 43bis.1(d explanations	(a)(i) with regard supporting such s	to novelty, inventive step or industrial statement
Box No. VI Certain documents cited			
Box No. VII Certain defects in the int	ernational appl	ication	
Box No. VIII Certain observations on	the internationa	d application	
2. FURTHER ACTION			
2. FURTHER ACTION If a demand for international preliminary examinational Preliminary Examining Authority Authority other than this one to be the IPEA and that written opinions of this International Searching	the chosen TP	FA has notified t	he International Bureau under Rule 66.1bis(b)
If this opinion is, as provided above, considered IPEA a written reply together, where approprimating of Form PCT/ISA/220 or before the exp	to be a writte	n opinion of the	IPEA, the applicant is invited to submit to the
For further options, see Form PCT/ISA/220.			
3. For further details, see notes to Form PCT/ISA/	220.		
Name and mailing address of the ISA/ US		Authorized office	
Mail Stop PCT, Attn: ISA/US		Roy D. Gibson	Diane Smith
Commissioner for Patents P.O. Box 1450		Telephone No.	571-272-4767
Alexandria, Virginia 22313-1450		Telephone 110.	

Facsimile No. (703) 305-3230
Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/02600

Box No. I Basis of this opinion
DUX 170. 1 Dasis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
 With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
a. type of material
a sequence listing
table(s) related to the sequence listing
b. format of material
in written format
in computer readable form
c. time of filing/furnishing
contained in international application as filed.
filed together with the international application in computer readable form.
furnished subsequently to this Authority for the purposes of search.
In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:
4. Additional community
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Form PCT/ISA/237(Box No. I) (January 2004)

Form PCT/ISA/237 (Box No. V) (January 2004)

International application No. PCT/US05/02600

Novelty (N) Claims 1-22 Claims NONE Inventive step (IS) Claims 1-22 Claims NONE Industrial applicability (IA) Claims 1-22 Claims NONE Citations and explanations: NONE Industrial applicability suggest an apparaturation and the properties of the prior art does not teach or fairly suggest an apparaturation and the prior art does not teach or fairly suggest an apparaturation and the prior art does not teach or fairly suggest an apparaturation and the prior art does not teach or fairly suggest an apparaturation and the prior art does not teach or fairly suggest an apparaturation and the prior art does not teach or fairly suggest and apparaturation and the prior art does not teach or fairly suggest and apparaturation and the prior art d	applicability; citations and e	explanations supp	orting such statement	nventive step or industrial
Novelty (N) Claims 1-22 Claims NONE Inventive step (IS) Claims 1-22 Claims NONE Industrial applicability (IA) Claims 1-22 Claims NONE Claims NONE Claims 1-22 Claims NONE Citations and explanations: Anims 1-22 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an apparature incing therapeutic hypothermia comprising: eat exchanger configured to exchange heat with a flow of breathing gas from the source; an ice particle generator configured rockice fine ice particles into the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas at a particle stop a patient.				
Novelty (N) Claims NONE Inventive step (IS) Claims 1-22 Claims NONE Industrial applicability (IA) Claims 1-22 Claims NONE Industrial applicability (IA) Claims 1-22 Claims NONE Citations and explanations: Anims 1-22 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an apparature incing therapeutic hypothermia comprising: eat exchanger configured to exchange heat with a flow of breathing gas from the source; an ice particle generator configured rockice fine ice particles into the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas; and a breathing industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter cla		Ote'	1-22	YE
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sins 1-22 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an apparatus incing therapeutic hypothermia comprising: eat exchanger configured to exchange heat with a flow of breathing gas from the source; an ice particle generator configured to deciver the flow of breathing gas; and a breathing interface configured to deliver the flow of breathing gas attaining the fine ice particles to a patient. aims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter cl		Claims	NONE	
ntaining the fine ice particles to a patient. aims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter cl	ducing therapeutic hypothermia comprising:		i and from the cource: en i	ce particle generator configured to
nims 1-22 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter cl a be made or used in industry.	ntaining the fine ice particles to a patient.	•		
	laims 1-22 meet the criteria set out in PCT A an be made or used in industry.	Article 33(4), and th	ns having industrial applicabil	ity because the subject matter clain
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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHO	RITY		peop 1.2 ofth none
To: CAROL TITUS 3900 NEWPARK MALL RD. THIRD FLOOR, SUITE 317 NEWARK, CA 94560		WRI INTERNATIO	WIPO PCT TTEN OPINION OF THE ONAL SEARCHING AUTHORITY
			(PCT Rule 43bis.1)
		Date of mailing (day/month/year)	08 SEP 2009
Applicant's or agent's file reference		FOR FURTHER	ACTION See paragraph 2 below
BEL1125PCT	International filing date	(day/month/year)	Priority date (day/month/year)
	24 January 2005 (24.01.	2005)	22 January 2004 (22.01,2004)
PCT/US05/02600 International Patent Classification (IPC) o	r both national classifical	ion and IPC	
i .			*
IPC(7): A61F 7/00 and US C1.: 607/105, Applicant	113		
BELSON, AMIR			
1. This opinion contains indications rela	ting to the following iten	ns:	·
Box No. I Basis of the	opinion		
Box No. II Priority			discount industrial applicability
		egard to novelty, inv	entive step and industrial applicability
Box No. IV Lack of unit	y of invention		to possitu, inventive sten or industrial
Box No. V Reasoned st applicability	atement under Rule 43 <i>bi.</i> citations and explanation;	s.1(a)(1) with regard ons supporting such s	to novelty, inventive step or industrial statement
	uments cited		
l ——	ects in the international a		
Box No. VIII Certain obs	ervations on the internati	onal application	
International Preliminary Examining Authority other than this one to be that written opinions of this Internat	the IPEA and the chosen tional Searching Authorit	IPEA has notified to y will not be so cons	
IPEA a written reply together, wi mailing of Form PCT/ISA/220 or b	efore the expiration of 2	itten opinion of the mendments, before 2 months from the pr	IPEA, the applicant is invited to submit to the the expiration of 3 months from the date of ciority date, whichever expires later.
For further options, see Form PCT	119W/770		
3. For further details, see notes to For	m PCT/ISA/220.		
Name and mailing address of the ISA/ U	JS	Authorized offic	cer ,
Mail Stop PCT, Attn: ISA/US		Roy D. Gibson	Diane Smote f
Commissioner for Patents			
P.O. Box 1450 Alexandria, Virginia 22313-1450		Telephone No.	571-272-4767

Facsimile No. (703) 305-3230
Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/02600

INTERNATIONAL SPANCEMENT TO THE PROPERTY OF TH	
Box No. I Basis of this opinion	
With regard to the language, this opinion has been established on the basis of it was filed, unless otherwise indicated under this item.	.
This opinion has been established on the basis of a translation from the which is the language of a translation furnished for the purposes of in	RETINITION BOOK 917 (WESTER)
With regard to any nucleotide and/or amino acid sequence disclosed i claimed invention, this opinion has been established on the basis of:	in the international application and necessary to the
a. type of material	
a sequence listing	
table(s) related to the sequence listing	~
b. format of material	
in written format	
in computer readable form	
c. time of filing/furnishing	
contained in international application as filed.	
filed together with the international application in computer re	eadable form.
furnished subsequently to this Authority for the purposes of se	earch.
3. In addition, in the case that more than one version or copy of a s filed or furnished, the required statements that the information in the application as filed or does not go beyond the application as filed.	sequence listing and/or table relating thereto has been the subsequent or additional copies is identical to that in d, as appropriate, were furnished.
4. Additional comments:	
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Form PCT/ISA/237(Box No. I) (January 2004)

International application No. PCT/US05/02600

x No. V Reasoned statement under Rule applicability; citations and expla	inations suppe	tung buest blacket	
Statement			
Novelty (N)	Claims	1-22	YB
HOTOLY WY	Claims		NC
	Claims	1-22	YE
Inventive step (IS)	Claims		NCNC
	Glatar-	1.00	YE
Industrial applicability (IA)	Claims Claims		N
Citations and explanations: ims 1-22 meet the criteria set out in PCT Article	le 33(2)-(3), beca	ause the prior art does not teach or fair	ly suggest an apparatus f
ucing therapeutic hypothermia comprising:		from the course an ice particle	e generator configured to
oduce fine ice particles into the flow of breath	ng gas; and a br	eathing interface configured to deliver	the flow of breathing gas
taining the fine ice particles to a patient.			•
ims 1-22 meet the criteria set out in PCT Artic	le 33(4), and thu	s having industrial applicability becaus	e the subject matter claim
be made or used in industry.			•
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PATENT COOPERATION TREATY

Fre IN	om the TERNATI	ONAL SEARCH	ING AUTH	ORITY		perio 1.2 oth noor
3	o: AROL TI	PARK MALL RI	D.			WIPO POT
ı	HIRD FL	OOR, SUITE 317 , CA 94560	7		WRI INTERNATIO	ITTEN OPINION OF THE ONAL SEARCHING AUTHORITY
						(PCT Rule 43bis.1)
					Date of mailing (day/month/year)	08 SEP 2009
	-	or agent's file re	ference		FOR FURTHER	See paragraph 2 below
片	BEL1125P	al application No.		International filing date	(day/month/year)	Priority date (day/month/year)
١.		100,000		24 January 2005 (24.01	.2005)	22 January 2004 (22.01.2004)
냠	nternation	al Patent Classific	ation (IPC)	or both national classifier	tion and IPC	
1		51F 7/00 and US				
1	Applicant	or woo and os	01 007/15			
L	BELSON,	AMIR				
	1. This c	pinion contains in	ndications re	lating to the following ite	ms:	·
	\boxtimes	Box No. I	Basis of th	e opinion		
		Box No. II	Priority			
		Box No. III .			egard to novelty, inv	entive step and industrial applicability
		Box No. IV		nity of invention		t to and a
	\boxtimes	Box No. V	Reasoned applicabili	statement under Rule 43b ty; citations and explanati	is.1(a)(i) with regard ons supporting such	to novelty, inventive step or industrial statement
		Box No. VI	Certain do	cuments cited		
		Box No. VII		fects in the international		
		Box No. VIII	Certain of	servations on the internat	ional application	
	If a control of the state of th	national Prelimin ority other than the written opinions o	ational preli ary Examin his one to be f this Intern	the IPEA and the chosen ational Searching Authori	n IPEA has notified the will not be so cons	
	IPEA maili	a written replying of Form PCT.	together, v ISA/220 or	before the expiration of 2	ritten opinion of the amendments, before 2 months from the pa	IPEA, the applicant is invited to submit to the the expiration of 3 months from the date of riority date, whichever expires later.
	' For	further options, se	e Form PC	1/10A/22U.		
	3. For :	further details, se	e notes to Fe	orm PCT/ISA/220.		
-	Name an	d mailing address	of the ISA/	US	Authorized offi	cer /
	THE CALL	Mail Stop PCT, At	tn: ISA/US		Roy D. Gibson	· Diane Smile f
-		Commissioner for P.O. Box 1450	Patents	•	Telephone No.	

P.O. Box 1430 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230 Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/02600

	INTERNATIONAL SEARCHING AUTHORITI	FC1/0503/02000
Box No	o. I Basis of this opinion	
1 117:65	regard to the language, this opinion has been established on the basis of	the international application in the language in which
it was	filed unless otherwise indicated under this facili.	
	This opinion has been established on the basis of a translation from the which is the language of a translation furnished for the purposes of inte	TIMEORE SOLETA (ALLES
2. With claim	regard to any nucleotide and/or amino acid sequence disclosed in ed invention, this opinion has been established on the basis of:	the international application and necessary to the
a.	type of material	
	a sequence listing	*
	table(s) related to the sequence listing	
b.	format of material	• .
	in written format	
	in computer readable form	•
c.	time of filing/furnishing	•
	contained in international application as filed.	
	filed together with the international application in computer rea	dable form.
	furnished subsequently to this Authority for the purposes of sear	
	Introduction of the state of th	
3.	In addition, in the case that more than one version or copy of a set filed or furnished, the required statements that the information in the the application as filed or does not go beyond the application as filed,	quence listing and/or table relating thereto has been subsequent or additional copies is identical to that in as appropriate, were furnished.
4. A.dd	itional comments:	
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Form PCT/ISA/237(Box No. I) (January 2004)

International application No. PCT/US05/02600

applicability; citations and expla			
	Claims	1-22	YB
Novelty (N)		NONE	NO
	C 1	1.00	YE
Inventive step (IS)	Claims	NONE	NC
	Camin		
Industrial applicability (IA)	Claims		YE
	Claims	NONE	INC
Citations and explanations:	le 33(2)-(3), beca	ause the prior art does not te	ach or fairly suggest an apparatus f
nicing therapeutic hypothermia comprising: leat exchanger configured to exchange heat with roduce fine ice particles into the flow of breathin ntaining the fine ice particles to a patient.	a flow of breathing gas; and a bro	ning gas from the source; an eathing interface configured	ice particle generator configured to to deliver the flow of breathing gas
aims 1-22 meet the criteria set out in PCT Articl n be made or used in industry.	le 33(4), and thu	s having industrial applicabi	lity because the subject matter clain
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